

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

EMIGRANT BANK; AND PACIFIC MERCANTILE  
BANK,

Plaintiffs,

-against-

SUNTRUST BANK; TRUIST BANK; AND DOES 1  
THROUGH 10, INCLUSIVE,

Defendants.

Case No. 1:20-cv-02391-PGG-OTW

**JOINT STIPULATION AND SCHEDULING ORDER**

WHEREAS, the Court entered a Civil Case Management Plan and Scheduling Order on April 13, 2023 (ECF No. 71, the “Case Management Plan”);

WHEREAS, by joint request of the parties, the Court granted an extension of certain deadlines in the Case Management Plan on July 27, 2023 (ECF No. 92) and a second extension of certain deadlines in the Case Management Plan on September 19, 2023 (ECF No. 106);

WHEREAS, the Parties timely exchanged their opening expert reports on December 14, 2023, and their rebuttal expert reports on January 18, 2024;

WHEREAS, the Parties are proceeding expeditiously with expert depositions but agree that they require a brief two-day extension of the deadline to complete expert depositions to accommodate the schedules of counsel and the Parties’ experts; and

WHEREAS, the requested two-day extension of the deadline to complete expert discovery will not affect the remaining case deadlines;

IT IS HEREBY STIPULATED AND AGREED, by the Parties, through their undersigned counsel, subject to the approval of the Court, that the following schedule shall govern this action and replace the operative deadlines set forth in ECF No. 106:

<u>Event</u>	<u>Current Deadline</u>	<u>Proposed New Deadline</u>
All Expert Discovery Completed	February 14, 2024	February 16, 2024
Pre-Motion Letters re Dispositive Motions Due	February 21, 2024	February 21, 2024 (no change)
Oppositions to Pre-Motion Letters re Dispositive Motions Due	February 28, 2024	February 28, 2024 (no change)

Dated: January 31, 2024

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Dated: February 1, 2024  
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*Attorneys for Defendant Truist Bank,  
successor by merger to Defendant SunTrust  
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SO ORDERED.



Paul G. Gardephe  
United States District Judge